

1 RENE L. VALLADARES  
Federal Public Defender  
2 State Bar No. 11479  
ALINA M. SHELL  
3 Assistant Federal Public Defender  
411 E. Bonneville, Ste. 250  
4 Las Vegas, Nevada 89101  
(702) 388-6577  
5 (Fax) 388-6261  
6 Counsel for STEVEN GRIMM  
7

8 UNITED STATES DISTRICT COURT  
9 DISTRICT OF NEVADA  
10

11 UNITED STATES OF AMERICA,  
12 Plaintiff,  
13 vs.  
14 STEVEN GRIMM, *et al.*,  
15 Defendants.  
16

2:08-cr-00064-RLH-GWF

**UNOPPOSED MOTION FOR  
ADDITIONAL TIME TO REPLY TO  
THE GOVERNMENT'S RESPONSE TO  
DEFENDANT GRIMM'S MOTION FOR  
NEW TRIAL BASED ON NEWLY  
DISCOVERED EVIDENCE**

17 **Certification:** This Motion is timely filed

18 Steven Grimm, by and through his counsel of record, Alina M. Shell, Assistant  
19 Federal Public Defender, and Eve Mazzarella by and through her counsel of record, Mark  
20 Allenbaugh, move this Court for additional time to Reply to the Government's Response to  
21 Defendant's Motion for New Trial.

22 DATED this 5th day of July, 2013.  
23

24 /s/ Alina M. Shell  
ALINA M. SHELL  
25 Assistant Federal Public Defender  
Counsel for Defendant Grimm  
26

/s/ Mark Allenbaugh  
MARK ALLENBAUGH  
27 Counsel for Defendant Mazzarella  
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1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 On May 22, 2013 Defendant Grimm filed a Motion for New Trial Based on Newly  
3 Discovered Evidence (*Brady* Material) and for Discovery (CR 525). On May 25, 2013 Defendant  
4 Mazzarella also filed a Motion for New Trial Based on Newly Discovered Evidence (*Brady*  
5 Material) and for Discovery (CR 528).

6 On June 4, 2013 the Government filed a Motion to Extend Time to Respond (CR  
7 529). On June 5, 2013 the Court granted the extension to July 5, 2013 (CR 530). On July 2, 2013  
8 the Government filed its Response to Defendant Grimm's Motion for New Trial Based on Newly  
9 Discovered Evidence (*Brady* Material) and for Discovery (CR 533). The Defendant's Reply to the  
10 Response is due on July 8, 2013.

11 Counsel for Grimm has Oral Argument in front of the Ninth Circuit on July 10, 2013,  
12 for which she has been diligently preparing. She also is scheduled to travel to Northern California  
13 on July 15, 2013, to meet with a client at FCI Mendota. Due to these facts, counsel requires  
14 additional time to review the Government's Response, and to prepare and file a Reply.

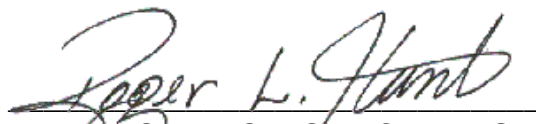
15 Therefore, counsel requests an extension until July 22, 2013 to file it's Reply.

16 DATED this 5th day of July, 2013.

17 RENE L. VALLADARES  
18 Federal Public Defender

19 /s/ Alina M. Shell  
20 By \_\_\_\_\_  
21 ALINA M. SHELL,  
22 Assistant Federal Public Defender

23 IT IS SO ORDERED.

24   
25 \_\_\_\_\_  
26 UNITED STATES DISTRICT JUDGE

27 DATED: July 8, 2013  
28

**CERTIFICATE OF ELECTRONIC SERVICE**

The undersigned hereby certifies that she is an employee of the Law offices of the Federal Public Defender for the District of Nevada and is a person of such age and discretion as to be competent to serve papers.

That on July 5, 2013, she served an electronic copy of the above and foregoing **UNOPPOSED MOTION TO EXTEND TIME TO REPLY TO GOVERNMENT'S RESPONSE TO DEFENDANT GRIMM'S MOTION FOR NEW TRIAL BASED ON NEWLY DISCOVERED EVIDENCE (*BRADY* MATERIAL) AND FOR DISCOVERY (Evidentiary Hearing Requested)** by electronic service (ECF) to the person named below:

DANIEL BOGDEN  
United States Attorney  
333 Las Vegas Blvd. South, # 5000  
Las Vegas, Nevada 89101

/s/ Karen Brokaw  
Employee of the Federal Public Defender